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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,006	06/23/2004	Seiji Saito	028567-0132	2732

7590 11/21/2007  
Foley & Lardner  
3000 K Street, NW, Suite 500  
P.O. Box 25696  
Washington, DC 20007-8696

EXAMINER
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DEJONG, ERIC S

ART UNIT	PAPER NUMBER
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1631

MAIL DATE	DELIVERY MODE
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11/21/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10500006	6/23/2004	SAITO, SEIJI	028567-0132

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Washington, DC 20007-8696

## EXAMINER

Eric S. DeJong

ART UNIT	PAPER
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1631

20071116

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

## Commissioner for Patents

The reply filed on 08/31/2007 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): See 37 CFR 1.111.

As set forth in the Office action mailed 05/02/2007, applicants were notified that the instant specification is not compliant with the sequence disclosure requirements as set forth in 37 CFR § 1.821(a)(1) and (a)(2) (see pages 3 and 4 of said Office action).

Specifically, the instant application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in CFR § 1.821(a)(1) and (a)(2). See, for example, the target sequence [10] of Figure 1. However, this application failed to comply with the requirements of CFR § 1.821 through 1.825 because it lacks any submission of a computer readable form sequence listing, a paper copy for the specification, a statement under CFR § 1.821(f) and (g), and SEQ ID numbers cited along with each sequence in the specification or Figures. Applicants are also reminded that SEQ ID numbers are not required in the Figures, *per se*, however, the corresponding SEQ ID numbers then are required in the Brief Description of the Drawings section in the specification. Applicants are also reminded that a CD-ROM sequence listing submission may replace the paper and computer readable form sequence listing copies.

It is acknowledged that applicants response filed 08/31/2007 contained an amendment to the instant specification to cite SEQ ID No: 1 in reference to the target sequence [10] of Figure 1. However, while applicants response indicated that a Sequence Listing in computer readable form and a paper copy for the specification was provided, upon review said Sequence Listing was not included in the materials filed by applicants on 08/31/2007. Further, applicants response did not include a statement as required under CFR § 1.821(f) and (g).

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

## Conclusion

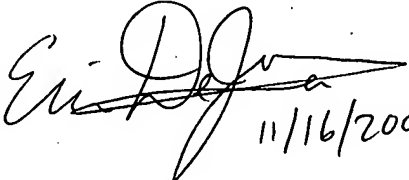
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric S. DeJong whose telephone number is (571) 272-6099. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Moran Marjorie can be reached on (571) 272-0720. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair->

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Eric S DeJong  
Examiner  
Art Unit 1631



11/16/2007